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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/669,162 | 09/22/2003 | Ronald R. Breaker | 25006.0016U2 |

23859
 NEEDLE & ROSENBERG, P.C.
 SUITE 1000
 999 PEACHTREE STREET
 ATLANTA, GA 30309-3915



CONFIRMATION NO. 4368

FORMALITIES LETTER



OC000000012701478

Date Mailed: 05/18/2004

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Filing Date Granted

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*

Leib

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



TFW

ATTORNEY DOCKET NO. 25006.0016U2
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---------------------------------|---|-----------------------|
| In re Application of |) | |
| |) | |
| Breaker <i>et al.</i> |) | Art Unit: 1632 |
| |) | |
| Application No. 10/669,162 |) | Examiner: Unassigned |
| |) | |
| Filing Date: September 22, 2003 |) | Confirmation No. 4368 |
| |) | |
| For: RIBOSWITCHES, METHODS FOR |) | |
| THEIR USE, AND COMPOSITIONS |) | |
| FOR USE WITH RIBOSWITCHES |) | |

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR
PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

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P. O. Box 1450
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NEEDLE & ROSENBERG, P.C.
Customer No. 23859

July 19, 2004

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed on May 18, 2004, for the above-referenced patent application, Applicants submit the following:

1. A substitute paper copy of the Sequence Listing (141 pages);
2. A replacement diskette containing the Sequence Listing in computer readable form; and
3. A copy of the Notice to Comply... (13 pages).

The substitute paper copy of the Sequence Listing and the replacement diskette containing the Sequence Listing for this application in computer readable form correct the errors

ATTORNEY DOCKET NO. 25006.0016U2
U.S. APPLICATION NO. 10/669,162

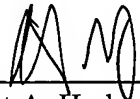
cited in the Notice to Comply... and attached Raw Sequence Listing Error Report. The information in the enclosed replacement computer readable form is identical to the enclosed substitute paper copy of the Sequence Listing and to the sequences as filed in the application on September 22, 2003. The replacement Sequence Listing does not add new matter to the application.

The enclosed substitute paper copy of the Sequence Listing and the replacement diskette containing the Sequence Listing in computer readable form are believed to bring the Sequence Listing into full compliance with the sequence rules. Therefore, entry of the Sequence Listing is respectfully requested.

No fee is believed to be due; however, the Commissioner is hereby authorized to charge any fees which may be required or to credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

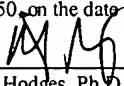


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CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, including any items indicated as attached or included, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.



Robert A. Hodges, Ph.D.

Date

7/19/2004